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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,513	12/09/2003	Shailesh Ratilal Doshi	DC7006USNA	3728

23906 7590 11/14/2005

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EXAMINER

NORDMEYER, PATRICIA L

ART UNIT PAPER NUMBER

1772

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/731,513	Applicant(s) DOSHI, SHAILESH RATILAL	
	Examiner Patricia L. Nordmeyer	Art Unit 1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) 6-8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/04, 7/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of group I, claims 1 - 5 in the reply filed on September 12, 2005 is acknowledged.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Weber et al. (EP 0 530 538).

Weber et al. disclose a multilayered article comprising a plurality of layers of polyamides (Page 4, lines 9 – 12) and arranged to include two surface layers and one or more inner layers (Page 4, Example 2) and wherein said surface layers further comprise one or more aliphatic polyamides (Page 4, Example 2, Polymers A1 and A3) and wherein at least one of said inner layers comprises a semi-aromatic polyamide (Page 4, Example 2, Polymer A2) derived from at least about 25 mole percent of aromatic monomers (Page 6, Claim 3) as in claim 1. With regard to claims 2 and 3, the aliphatic polyamides further comprise an oxidation stabilizer of aromatic

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amines (Page 6, claim 5) and have a melting point below 280 °C (Page 4, Example 1). The multi-layered article is in a form of a tube (Page 1, lines 1 – 3) as in claim 4.

4. Claims 1 - 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Stevens et al. (WO 98/10927).

Stevens et al. disclose a multilayered article (Page 1, lines 5 – 7) comprising a plurality of layers of polyamides (Page 6, lines 25 – 32; Page 7, line 26 to Page 8, line 17) and arranged to include two surface layers and one or more inner layers (Page 5, lines 15 and 16) and wherein said surface layers further comprise one or more aliphatic polyamides (Page 8, lines 9 – 17) and wherein at least one of said inner layers comprises a semi-aromatic polyamide (Page 6, lines 25 – 32) derived from at least about 25 mole percent of aromatic monomers (Page 16, Claim 15) as in claim 1. Regarding claim 3, it is inherent that the aliphatic polyamides would have a melting point below 280 °C since it is same material is being used for the same purpose. With regard to claim 2, the aliphatic polyamides further comprise an oxidation stabilizer of aromatic amines (Page 6, claim 15). The multi-layered article is in a form of a tube (Page 1, lines 1 – 3) and incorporated in a heat exchanger (Page 1, lines 1 – 3) as in claims 4 and 5.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L. Nordmeyer whose telephone number is (571) 272-

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1496. The examiner can normally be reached on Mon.-Thurs. from 7:00-4:30 & alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Y. Pyon can be reached on (571) 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patricia L. Nordmeyer
Examiner
Art Unit 1772

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[Signature]
HAROLD PYON
SUPERVISORY PATENT EXAMINER
1772

11/9/05